

**CITY OF MARYSVILLE AGENDA BILL**  
**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: September 10, 2018**

AGENDA ITEM: Agreement Terminating Interlocal Agreement with the City of Arlington for Surface Water Billing Services	
PREPARED BY: John Nield, Financial Operations Manager	DIRECTOR APPROVAL:
DEPARTMENT: Finance	
ATTACHMENTS: Termination Agreement	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

In August of 2006, the Cities of Marysville and Arlington entered into an agreement entitled “Interlocal Agreement between the City of Marysville and the City of Arlington Regarding Surface Water Billing Services”. Under this agreement, Marysville billed for surface water utility services for the City of Arlington on certain properties located in Arlington but who were also served by other Marysville utilities. Arlington has requested to terminate this agreement and bill surface water fees directly to these customers.

Under the proposed Termination Agreement Arlington will assume responsibility for surface water billing for all Arlington customer accounts on or after October 1, 2018. The City of Marysville will be responsible for the billing and collection of these accounts prior to October 1, 2018.

<p><b>RECOMMENDED ACTION:</b> Staff recommends that City Council adopt the Agreement Terminating Interlocal Agreement between the City of Marysville and the City of Arlington for Surface Water Billing Services.</p>
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AFTER RECORDING, PLEASE RETURN TO :

CITY OF ARLINGTON  
238 N. Olympic Avenue  
Arlington, WA 98223

AGREEMENT TERMINATING INTERLOCAL AGREEMENT

This Agreement is made and entered into between the City of Arlington, Washington, hereinafter called "Arlington", and the City of Marysville, Washington, hereinafter called "Marysville".

WHEREAS, the Cities of Arlington and Marysville previously entered into an agreement entitled "Interlocal Agreement Between the City of Marysville and the City of Arlington Regarding Surface Water Billing Services", which agreement was dated August 17, 2006, recorded on August 24, 2006 under Snohomish County Auditor's File number 200608240336 (hereafter "the Surface Water Billing Interlocal Agreement" or "the Agreement"); and

WHEREAS, under the terms of said Agreement, Marysville has billed and continues to bill certain customers for Arlington surface water utility services provided to properties located within the city limits of Arlington which were served by other Marysville utilities; and

WHEREAS, the agreement provided for its termination upon the agreement of both parties; and

WHEREAS, the parties are in agreement that it is in the best interests of the citizens of both Arlington and Marysville to terminate said Agreement;

NOW THEREFORE, the parties do hereby agree as follows:

1. That certain agreement entitled "Interlocal Agreement Between the City of Marysville and the City of Arlington Regarding Surface Water Billing Services", which agreement was dated August 17, 2006, recorded on August 24, 2006 under Snohomish County Auditor's File number

TERMINATION OF INTERLOCAL  
AGREEMENT

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200608240336, shall be and hereby is terminated and of no further force and effect, subject to the provisions set forth herein.

2. Arlington shall assume responsibility for surface water billing for all Arlington customer accounts served by Marysville, for all stormwater utility service provided on or after October 1, 2018, and Marysville shall have no responsibility for billing or collection of said accounts.
3. Marysville shall, however, continue to bill those Arlington customers for surface water utility service occurring in August and September, 2018. Marysville shall also be responsible for the collection of the sums billed for surface water utility service provided through September 30, 2018. The terms and conditions of said billing shall continue to be authorized, and governed by, the terms of the Agreement.
4. All billing and collection services provided by Marysville shall continue to be governed by the provisions of the Surface Water Billing Interlocal Agreement, notwithstanding the termination of the agreement herein.
5. Marysville shall refund to Arlington the sum of \$3,531.99 on or before October 31, 2018, reflecting a refund of 25% (three months) of the 2018 billing service fees which have been prepaid by Arlington for 2018.
6. The parties authorize their respective finance directors to more fully develop any procedures or agreements which might be necessary to fully implement this agreement.

CITY OF ARLINGTON

By: \_\_\_\_\_ DATE: \_\_\_\_\_  
Barbara Tolbert, Mayor

ATTEST:

\_\_\_\_\_ DATE: \_\_\_\_\_  
Kristin Banfield, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_ DATE: \_\_\_\_\_  
Steven J. Peiffle, City Attorney

STATE OF WASHINGTON)

ss:

COUNTY OF SNOHOMISH )

This record was acknowledged before me on \_\_\_\_\_ by Barbara Tolbert and Kristin Banfield as Mayor and City Clerk of the City of Arlington, Washington.

\_\_\_\_\_  
Notary Public for the State of Washington  
My Commission Expires: \_\_\_\_\_

CITY OF MARYSVILLE

By: \_\_\_\_\_ DATE: \_\_\_\_\_  
Jon Nehring, Mayor

ATTEST:

\_\_\_\_\_ DATE: \_\_\_\_\_  
Jan Berg, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_ DATE: \_\_\_\_\_  
Jon Walker, City Attorney

STATE OF WASHINGTON)

ss:

COUNTY OF SNOHOMISH )

This record was acknowledged before me on \_\_\_\_\_ by Jon Nehring and Jan Berg as Mayor and City Clerk of the City of Marysville, Washington.

\_\_\_\_\_  
Notary Public for the State of Washington  
My Commission Expires: \_\_\_\_\_